

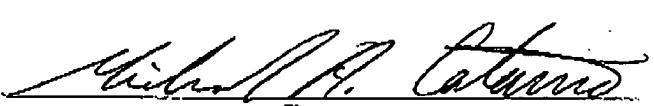
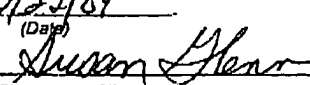
DEC-22-2004 WED 10:35 AM


FAX NO.

RECEIVED
CENTRAL FAX CENTER

DEC 22 2004

P. 03

TRANSMITTAL LETTER (General - Patent Pending)				Docket No. PU2197	
In Re Application Of: YAGLEY					
Application No. 10/708,501	Filing Date 3/8/04	Examiner GORDON, R.	Customer No. 23454	Group Art Unit 3711	Confirmation No. 2500
Title: GOLF BALL WITH HIGH COEFFICIENT OF RESTITUTION					
<u>COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is: TERMINAL DISCLAIMER OVER PATENT 6,595,872					
In the above identified application.					
<input type="checkbox"/> No additional fee is required.					
<input type="checkbox"/> A check in the amount of _____ is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 500303 as described below.					
<input checked="" type="checkbox"/> Charge the amount of \$130.00					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional fee required.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 Signature			Dated: December 22, 2004		
MICHAEL A. CATANIA REGISTRATION NO. 36,474 CALLAWAY GOLF COMPANY 2180 RUTHERFORD ROAD CARLSBAD, CALIFORNIA 92008-7328 TEL: (760) 930-8493 FAX: (760) 930-5019 EMAIL: MIKECA@CALLAWAYGOLF.COM			<div style="font-size: small;">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</div> <div style="text-align: center;">12/22/04 (Date)</div> <div style="text-align: center;"> Signature of Person Mailing Correspondence</div> <div style="text-align: center;">SUSAN GLENN Typed or Printed Name of Person Mailing Correspondence</div>		
cc:					

Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent				Docket No. PU2197	
In Re Application Of: YAGLEY					
Application No. 10/708,501	Filing Date 3/8/04	Examiner GORDON, R.	Customer No. 23454	Group Art Unit 3711	Confirmation No. 2500
Invention: GOLF BALL WITH HIGH COEFFICIENT OF RESTITUTION					
Owner of Record: CALLAWAY GOLF COMPANY					
<u>COMMISSIONER FOR PATENTS:</u>					
<p>The above-identified owner of record of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,595,872. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.</p> <p>Check either box 1 or 2 below, if appropriate.</p> <p>1. <input type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input checked="" type="checkbox"/> The undersigned is an attorney of record.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;">  Signature </div> <div style="text-align: right;"> Dated: <i>December 22, 2004</i> </div> </div> <div style="text-align: center; margin-top: 10px;"> MICHAEL A. CATANIA Typed or Printed Name </div> <div style="margin-top: 10px;"> <input checked="" type="checkbox"/> Terminal disclaimer fee under 37 C.F.R. 1.20(d) included. <input checked="" type="checkbox"/> PTO suggested wording for terminal disclaimer was unchanged. <input type="checkbox"/> Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee. </div>					